

Remarks

The Examiner has requested a restriction arguing a lack of utility. We disagree; however, in order to further prosecution, and in no way acquiescing the Examiner's arguments, expressly reserving the right to prosecute the same or similar claims, the applicants have canceled Claims 1-10, amended Claim 11, and added Claim 17 according to the elected Group I (with traverse). The species selected is 2-[3-(2,2-dimethyl-3-oxo-3-{azabicyclo[2.2.1]heptan-7-yl}propoxy)-5-(3,5-dimethylphenyl)-1*H*-pyrazol-4-yl]-*N*-[2-(1,3-benzodioxol-5-yl)ethyl]-(2*S*)-propylamine.

The Examiner is inappropriately using a restriction requirement to limit the scope of claimed embodiment. The proper procedure is to put forward a rejection. We request reconsideration by the Examiner of the restriction between Groups I and II, with reinstatement of Claim 1.

A petition for a one-month extension of time is being filed herewith, the Commissioner is hereby authorized to charge any deficiency in the fees or credit any overpayment to deposit account No. 50-3231, referencing Attorney Docket No. 100811-1P US.

Respectfully submitted,

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